

DL 07.04.2026
13
susanta Ct.05

W.P.A. 6023 of 2026

Manik Das

-vs-

The State of West Bengal & Ors.

Mr. Arjun Samanta,
Mr. Trishtrya Mancherji,

....for the petitioner.

Mr. Tanmoy Kumar Ghosh,
Mr. Aniruddha Mahanta,

....for the State.

Ms. Manaswita Mukherjee,

....for the respondent no.7.

1. Affidavit-of-service and Supplementary affidavit filed on behalf of the petitioner are taken on record.
2. The matter is heard in the presence of the learned advocate representing the petitioner, State Respondents and respondent no.7.
3. Present writ petition is filed alleging inaction on the part of the police authorities in not taking steps with regard to the complaint lodged relating to running of two bars and conversion of land purchased for setting up bar by forgery. Prayer is also made for quashing of FIR.
4. Learned advocate representing the State respondents has filed a communication dated 7th April, 2026 of Inspector-In-Charge, Ghola Police Station, Barrackpore Police Commissionerate, same is taken on record. Copy of the said communication dated 7th April, 2026 is made over to the learned advocate representing the petitioner

and respondent no. 7.

5. It is disclosed in the communication dated 7th April, 2026 that there are complaints and counter-complaints giving rise to several criminal prosecutions, two against private respondents based on complaint lodged by the petitioner and nine criminal prosecutions were initiated against the petitioner based on the complaints lodged by the private respondents.
6. In addition thereto it is stated in the said communication that due to alleged conversion of land and construction of bar-cum-restaurant, two writ petitions being WPA 2656 of 2026 and WPA 2658 of 2026 are pending before this Court. In connection with one of the criminal proceedings initiated against the petitioner he had to obtain bail from the learned Additional Sessions Judge Fast Track Court, 2nd Court, Barrackpore on 21 January, 2022.
7. In view of disclosure of steps taken by the police authority in pending criminal proceedings, Court at this Stage only directs the concerned police authorities to take investigation to its logical conclusion by taking necessary steps on submitting report before the jurisdictional Magistrate. Prayer for quashing of FIR as made by

the petitioner is not allowed since the parameter relating to quashing of FIR as prescribed by the Hon'ble Supreme Court in the judgment reported in (2021) 19 SCC 401 (**Neeharika Infrastructure Pvt. Ltd. Vs. State of Maharashtra & Ors.**) are not fulfilled.

8. Writ petition stands disposed of. However, this order shall not preclude the petitioner to approach jurisdictional Magistrate if, occasion so arises.
9. Urgent photostat certified copy of this order, if applied for, be given to the learned Advocates for the parties on the usual undertakings.

(Saugata Bhattacharyya, J.)